

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC.,)
)
)
Plaintiff,)
)
)
v.) C.A. No. 05-346 SLR
)
)
ACARTUS, INC. and EMC CORPORATION,)
)
)
Defendants.)
)

NOTICE OF SERVICE OF SUBPOENAS

TO: Kurt Michael Heyman
PROCTOR HEYMAN LLP
1116 West Street
Wilmington, DE 19801

Jonathan M. Wagner
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036

PLEASE TAKE NOTICE that Defendants served the attached subpoenas on the following third-parties commanding production of documents and things:

BMC Software, Inc. (Exhibit A)

Data Strategies International, Inc. (Exhibit B)

Systemware, Inc. (Exhibit C)

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ James W. Parrett, Jr.

OF COUNSEL:

Robert S. Frank Jr.
Paul D. Popeo
G. Mark Edgerton
CHOATE, HALL & STEWART LLP
Two International Place
Boston, MA 02110
617.248.5000

Mary B. Graham (#2256)
James W. Parrett, Jr. (#4292)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19801
302.658.9200

*Attorneys for Defendants Acartus, Inc.
and EMC Corporation*

Dated: November 7, 2006